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UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF MICHIGAN

MALIBU MEDIA, LLC,

Plaintiff,

v.

Case No.: 15-13126
Hon. John Corbett O'Meara

JOHN DOE subscriber assigned to
IP address 98.209.151.187,

Defendant.

NICOLETTI LAW, PLC
Counsel for Plaintiff
33717 Woodward Ave, Ste. 433
Birmingham, MI 48009
248-203-7800

JOHN DOE
Pro Se

2015 OCT 21 P 2:00

PROTECTIVE MOTION TO QUASH SUBPOENA

NOW COMES, Defendant, JOHN DOE subscriber assigned to IP address 98.209.151.187, and moves this honorable court to quash the September 11, 2015 subpoena ordering Comcast to produce the name and address of defendant John Doe subscriber assigned to IP address 98.209.151.187. In support of its motion, Defendant states the following:

1. The subpoena imposes an undue burden on Defendant.
2. The information sought in the subpoena is highly private and of a sensitive nature.
3. FRCP 45(c)(3) permits this court to quash a subpoena if it subjects a person to undue burden.
4. An IP address is not computer-specific. Comcast subscriber John Doe could be an innocent parent whose internet access was abused by his minor child, or a subscriber sharing a computer with a roommate who infringed Plaintiffs' works.

5. To expose private and sensitive information for John Doe subscriber assigned to IP address 98.209.151.187 is a broad and over-burdensome attempt to go on a fishing expedition without proof that John Doe himself committed internet piracy.

WHEREFORE, Defendant prays his motion to quash the subpoena be granted.

Dated: 10/21/2015

Respectfully submitted,

s/John Doe
John Doe
Pro se

CERTIFICATE OF SERVICE

I hereby certify that a true copy of this Motion to Quash was on October 21, 2015 served by electronic mail:

Paul J. Nicoletti
Nicoletti Law PLC
Att: Litigation Dept.
33717 Woodward Avenue
Suite 433
Birmingham, MI 48009
pauljnicoletti@gmail.com

Date 10/21/2015

s/Victoria McCaskey
Victoria McCaskey